

LOUISIANA WATER QUALITY MANAGEMENT PLAN

VOLUME 1

THE CONTINUING PLANNING PROCESS (CPP)

Introduction

Section 303(e) of the Clean Water Act requires each State to have a Continuing Planning Process (CPP). The CPP describes the processes used by the State in making water quality decisions. The State must review and update the CPP as necessary, to reflect its evolving needs and to meet the requirements of this regulation.

The purpose of the CPP is to describe the principal management processes of the State's water quality management programs that are used to implement the provisions of the Clean Water Act (P.L. 95-217) and state Environmental Quality Act (L.R.S.30:2001 and 30:2071). The CPP also helps identify needed improvements in organizational structure and procedure, and facilitates corrective management action. An up-to-date CPP serves as guidance for a more effective State Water Quality Management Plan (WQMP). The Louisiana Department of Environmental Quality (LDEQ) is the state agency designated to develop and carry out the CPP and the WQMP. The Federal regulations regarding their content are presented in 40 CFR Part 130.5 and 130.6.

The CPP is considered Volume 1 of the Water Quality Management Plan and the volumes of the WQMP are considered part of the CPP. Most volumes of the WQMP are stand-alone documents and are not included here. The following list the volumes of the WQMP, gives an overview of their function in the Plan and CPP and shows where they can be obtained. Other volumes will be added to the WQMP as needed.

Water Quality Management Plan Volumes

Volume 1: Continuing Planning Process (CPP)

The CPP describes the processes and procedures employed by the Louisiana Department of Environmental Quality (LDEQ) in carrying out the requirements of the Clean Water Act (CWA). Its purpose is to describe the organization structure and procedures employed by the LDEQ and to serve as guidance for more effective implementation of the State's Water Quality Management Plan. The volumes of the WQMP are considered parts of the CPP. Development of the CPP document is coordinated by the Office of Environmental Assessment, Environmental Planning Division with input from other Offices within the Department who have responsibilities for appropriate parts of the WQMP.

Volume 2: Water Quality Regulations

Louisiana's water quality regulations are found in the state Environmental Regulatory Code, Title 33, Part IX (L.R.C.33:IX). These include the regulations on enforcement, the LPDES program and other wastewater permitting, effluent guidelines, water quality certification procedures, spill prevention and control, state revolving loan fund program and surface water quality standards. The various programmatic offices of the LDEQ are responsible for developing and implementing their appropriate parts of the water quality regulations. The surface water quality standards are maintained by the Office of Environmental Assessment, Environmental Planning Division and are found in Chapter 11 (L.R.C.33:IX.1101). They consist of: (1) policy statements pertinent to water quality that are necessary to preserve or achieve the various designated uses, (2) descriptions of designated uses for which waters of the State are to be protected, and (3) criteria specifying the concentration limits for various water quality parameters. The State's regulations for disposal of sludge through land treatment are found in the solid waste regulations. The most recent LDEQ regulations are available on the department's web site at: www.deq.state.la.us under Rules and Regulations, Title 33 regulations. Copies of the regulations can be obtained from the Environmental Planning Division.

Volume 3: Permitting Guidance Document for Implementing the Louisiana Surface Water Quality Standards

This document describes the procedures for implementing the State's surface water quality standards (L.R.C.33:IX.1101) in wastewater discharge permits. The document consists of 9 sections plus appendices. Sections cover water quality-based permitting procedures for application of standards and use attainability, metals, mixing zones and flows, establishing permit limits, and biological toxicity testing. Appendices include minimum quantification levels, wet limit dilution series, screening procedures and carcinogen designations. The document is available on the department's web site at: www.deq.state.la.us under Permits, and is developed and maintained by the Office of Environmental Services, Permits Division.

Volume 4: Basin/Subsegment Boundaries and Inventories

This document describes each water quality management basin and all subsegments within each basin. It also gives broad descriptions of the geology, geography, climatology, and hydrology of the basins. It is in two parts, text description and Geographic Information Systems (GIS) coverage. The text description is undergoing a major revision and will be available on the department's web site at: www.deq.state.la.us under Planning when completed. The GIS coverage is available on the department's web site at: http://gis1.deq.state.la.us/projects/project_basin_subsegs/data.htm. The Office of Environmental Assessment, Environmental Planning Division develops and maintains this document.

Volume 5: Water Quality Assessment

This is the State's Water Quality Inventory as required by Section 305(b) of the CWA. This document presents the results of the assessment of water quality data gathered by the LDEQ. Additionally, data collected during the execution of various special studies and investigations by the LDEQ are presented. It summarizes water quality impacts and a designated use impairment evaluation for each stream subsegment and represents a continuing review process for determining the current water quality conditions in the State. The LDEQ utilizes this subsegment-specific water quality information to determine magnitude, extent, and sources of water quality impacts as evidenced in the data gathered from the ambient water quality-monitoring network and special studies. The list of impaired waterbodies required by Section 303(d) of the CWA is also included in the inventory. The inventory also contains an overview of the water quality management-pollution control program including sections on water quality standards, point source control programs for permitting, surveillance, compliance and enforcement, nonpoint source program and groundwater. The most recent Louisiana Water Quality Inventory is available on the LDEQ website at: www.deq.state.la.us under Planning, water quality inventory. The Office of Environmental Assessment, Environmental Planning Division prepares the inventory biennially as presently required under the CWA.

Volume 6: Nonpoint Source Management Plan

This document describes the procedures to be used to implement the nonpoint source management program and is prepared by the Office of Environmental Assessment, Environmental Planning Division. The primary goal of the program is to systematically identify and address nonpoint sources of pollution that impair water quality in the State of Louisiana. This document integrates subsegment-specific land use factors and water quality factors, based upon the most recent Water Quality Inventory, in order to target watersheds for implementation projects. Topics covered in this document are problem identification, project review, interagency coordination, identification of funding sources, evaluation of best management practices (BMPs), and timetables for implementation. Best management practices recommended for abatement of the various nonpoint problems are described. The latest Nonpoint Source Management Plan is available on the LDEQ website at: www.deq.state.la.us under Planning, nonpoint source pollution.

Volume 7: Municipal Waste Treatment

This Volume covers Municipal Waste Treatment, which is addressed through the Louisiana Clean Water State Revolving Loan Fund (CWSRLF) program. The CWSRLF offers low interest loans to communities for the construction and upgrade of wastewater treatment works. Since 1990, over \$250 million in loans have been made to Louisiana communities. The CWSRLF program develops a priority list for funding and prepares an annual Intended Use Plan (IUP) to identify needs and uses of funds available to the CWSRLF. The complete description of the CWSRLF program including the priority funding list and IUP is placed and maintained on the LDEQ website at: www.deq.state.la.us under Financial Matters, state revolving loan program. Other program functions are described in the CWSRLF regulations, L.R.C.33:IX.2101, also available on the LDEQ website under Rules and Regulations, Title 33,

Part IX, Chapter 21. Component parts of this volume are coordinated through the Environmental Evaluation and Technology Divisions in the Office of Environmental Assessment and Financial Services Division in the Office of Management and Finance.

Volume 8: Total Maximum Daily Loads and Wasteload Allocations

Volume 8 of the Water Quality Management Plan contains the State Effluent Limitations Policy, Area Wide Policies, TMDLs and TMDL procedures and wasteload allocations. This volume of the WQMP identifies facilities affected by wasteload allocations or TMDLs and the corresponding discharge limits assigned in the permits. The volume is updated as TMDLs are approved by EPA or on an as-needed basis. Documents for the volume are maintained by the Environmental Technology Division, Office of Environmental Assessment and are available in their office or on the LDEQ web site at: www.deq.state.la.us under Technology, Total Maximum Daily Load Program (TMDL), Louisiana Water Quality Management Plan – Volume 8 and Louisiana TMDL Technical Procedures. Other descriptive information for this volume and the TMDL program are contained on the website as well. A supplemental overview of this volume is contained later within the CPP.

Volume 9: Surface Water Quality Standards Documentation and Implementation Procedures

The Louisiana Surface Water Quality Standards (WQS) are contained in Volume 2: Water Quality Regulations of the Water Quality Management Plan/Continuing Planning Process (WQMP/CPP). The WQS are specifically found in Chapter 11 of the regulations as L.R.C. 33:IX.1101. The WQS contain policy statements for meeting the purposes of WQS, designated water uses for state waterbodies and criteria to protect designated water uses. To meet the intent of the WQS, documentation and implementation procedures are developed and housed in this volume of the WQMP/CPP. Various sections of the WQS regulation will require documentation and implementation procedures to be developed. One example is for Waterbody Exception Categories, L.R.C. 33:IX.1109.C. Appropriate procedures will be added to this volume as they are developed. The Office of Environmental Assessment, Environmental Planning Division will maintain this volume and it will be made available on the Department's website at: www.deq.state.la.us under planning.

Background

The water quality mission of the LDEQ as the designated state administrative agency is to manage the quality of the State's surface waters by upgrading the quality where man's activities have caused degradation and by preserving the integrity of those waters where good quality exists. This involves coordination with citizens, regulated entities, universities and local, state, and federal agencies. The basic water quality program processes and activities are addressed in the state WQMP and CPP. The Louisiana WQMP and CPP are carried out in accordance with the following:

Federal Clean Water Act, PL 92-500 as amended in 1987, PL 100-4
L.R.S. 30:2001 et seq., Louisiana Environmental Quality Act

In 1999, LDEQ re-engineered its operating structure on a programmatic multi-media basis. Complete up-to-date organizational charts and other information about the Department can be found on the website at: www.deq.state.la.us, All About DEQ. The LDEQ now consists of the following offices and divisions that manage the various Water Quality Management Plan activities as discussed in the previous WQMP volume descriptions:

Office of the Secretary

Office of Environmental Compliance

Surveillance Division
Enforcement Division

Office of Environmental Services

Environmental Assistance Division
Permits Division

Office of Management and Finance

Information Services Division
Laboratory Services Division
Financial Services Division
Administrative Services Division

Office of Environmental Assessment

Environmental Planning Division
Environmental Evaluation Division
Environmental Technology Division
Remediation Services Division

Development of the Water Quality Management Plan

The procedures employed for the development of the Water Quality Management Plan involve assessment and interpretation of data, compilation of information, evaluation and review of results, and promulgation of regulations.

Each volume of the Plan is reviewed internally by LDEQ personnel, and a copy is forwarded to U.S. EPA Region VI in Dallas. Comments are received from all reviewers and are addressed in the Plan as revisions or by letter directly to the reviewer. The revised draft is then sent out for public comment as specified in the certification procedures in the following section. After all public comments are received, they are addressed, and, where appropriate, included in the final draft document. The final WQMP is then forwarded to the Secretary of DEQ for certification. The document is then submitted to EPA for final approval, after which it is adopted by the LDEQ as the official WQMP of the State.

Certification Procedures

1. Certification Schedules

The revision process for the WQMP involves a review of all data and evaluations contained in the Plan, and adjustments where necessary. Each individual component document or volume presents information and/or data integral to the over-all water quality management and planning process; however, due to the regulatory provisions of the particular sections of the CWA under which the documents are funded, each document volume is maintained and updated according to its own schedule. As each document is developed according to its regulated

schedule, it is forwarded to EPA with a letter certifying it as an official update or revision of the component document of the Louisiana Water Quality Management Plan.

<u>Document Name</u>	<u>Revision Schedule</u>
Volume 1. – Continuing Planning Process (CPP)	Annual Review and Update as Necessary
Volume 2. – Water Quality Regulations	As Necessary and Triennial Review
Volume 3. – Permitting Guidance Document for Implementing Louisiana Surface Water Quality Standards	As Necessary
Volume 4. – Basin/Subsegment Boundaries and Inventories	As Necessary
Volume 5. – Water Quality Assessment	Annual or Biennial
Volume 6. – Nonpoint Source Management Plan	Every 5 years
Volume 7. – Municipal Treatment Needs	As Necessary
Volume 8. – Total Maximum Daily Loads and Wasteload Allocations	As Necessary
Volume 9: Surface Water Quality Standards Documentation and Implementation Procedures	As Necessary

2. Miscellaneous Support Documents

Activities carried out by the State under water quality management work plans usually result in the development of a report. These reports are often used in the water quality management decision-making process and/or are used to update the WQMP.

3. Review/Certification/Approval Process

a. Public Review

Draft regulations and WQMP updates will be announced as available for public review and comment in the State journal and in other newspapers located throughout the State as appropriate. The public comment period extends for at least 30 days, and a public hearing may be announced at this time. The documents will be available for public review at the Department of Environmental Quality and on the LDEQ web site. If sufficient public interest is shown to warrant such action, a public hearing will be considered to receive further comment. If a public

hearing is deemed appropriate, a notice will be published 30 days in advance. The following is a list of State journals and newspapers used for public notices:

The Baton Rouge Advocate

Lafayette Daily Advertiser

Lake Charles American Press

Alexandria Daily Town Talk

Monroe Morning World/News Star World

New Orleans Times Picayune

The Shreveport Journal/Times

b. Response to Public Comments

Comments received by the LDEQ concerning proposed changes to the WQMP will be addressed in a Responsiveness Summary. The response may take one of three forms: (1) Incorporation of the comment into a revision to the document, (2) rejection of the comment, or (3) simple acknowledgment of the comment. A justification will be supplied for each comment response action. The public comments and the agency responses will be kept on record at the LDEQ and will be supplied to EPA upon request. The Responsiveness Summary will be submitted with the final document to EPA.

c. EPA Review and Comment

LDEQ will submit proposed revisions of the Surface Water Quality Standards and other water quality regulations to EPA for review prior to promulgation. The CPP and other volumes of the WQMP will be submitted to EPA for review and approval whenever they are revised. LDEQ will submit draft TMDL reports to EPA for review and comment at the same time that they are made available for public review and comment. Upon completion of the public review/comment process, LDEQ will submit the final TMDL to EPA with documentation of the public comment period and comments and responses. Upon EPA approval of the TMDL, the Management Plan will be updated to include the approved TMDL and resulting wasteload allocations.

4. Certification and Approval

After promulgation of Surface Water Quality Standards and other water quality regulations, LDEQ's General Counsel will send a letter to the Director, Water Quality Protection Division, USEPA, Region 6, certifying that the adoption has complied with all applicable state laws and regulations.

After proposed changes to the CPP/WQMP have undergone public inspection and response, and/or revisions have been prepared for the comments received, a certification letter from the Assistant Secretary of the Office of Environmental Assessment, LDEQ, will be submitted to the Director, Water Quality Protection Division, USEPA, Region 6. The certification letter will state the name of the document volume being certified, that each has passed through the public review process, and that each is being presented to EPA for approval as official revisions to the WQMP. The submittal letter will also transmit final copies of the documents being certified, as well as the Responsiveness Summaries. Upon receipt and review of the certification letter, the final document(s), and the Responsiveness Summaries, EPA will take official action on the updates. For updates not fully approved, the Regional Administrator will inform LDEQ, in writing, of those actions which must be taken in order to obtain full approval.

Intergovernmental Coordination

The administrative staff of LDEQ is responsible for the general operations of the agency, as well as legislation, regulations, and policy development. This includes review and approval of permits, development of quality assurance documents and reports, development and revision of water quality standards, issuance of water quality certifications, execution of enforcement actions, development of water program grant work plans and water quality management strategy, and development and implementation of permit delegation. The administrative activities consist primarily of developing policy and making decisions concerning program activities. In addition, the administrative staff is involved with personnel management, budget, acquisitions, and inventory control.

The various water pollution control activities undertaken by LDEQ require a coordinated effort among many federal, state, and local agencies, and private entities. The administrative activities are key in establishing communication channels between the Department and other groups. Some of the key activities that require a concerted effort include spill response, water quality monitoring, water resource planning and management, flood control, and best management practices for the control of nonpoint sources of pollution. There are many other aspects of water pollution control coordination that require considerable time and effort to ensure that the objectives of the Department are accomplished. However, this section addresses those coordination activities that are structure, regularly convened groups in which LDEQ may be required, or simply chooses to participate. The primary purposes of this coordination are the transfer of information and technology, and to ensure that proposed and planned activities of other groups are complementary to or consistent with the Department's policy and regulations.

The LDEQ is an active participant in many programs and activities including:

- 1) Participation in the Gulf of Mexico Program. The program seeks to develop and implement management strategies for the protection, restoration, and maintenance of the health and productivity of the Gulf of Mexico. LDEQ staff presently serves on the Policy Review Board, Management Committee and several problem specific focus teams.

- 2) Member of the Lake Pontchartrain Basin Foundation Board.
- 3) Member of the Safe Drinking Water Coalition.
- 4) Member of the State Wetlands Conservation and Restoration Authority.
- 5) Member of the Lower Mississippi River Conservation Committee.
- 6) Member of the Nonpoint Source Pollution Interagency Coordinating Committee, which consists of eighteen state and federal agencies with land and/or water management responsibilities. This group is involved in setting priorities for water quality projects across the State that may address nonpoint source controls and/or issues. Nonpoint Source consideration have been actively integrated into other DEQ water quality programs.
- 7) Member of the Southern States Mercury Task Force.
- 8) U.S. Geological Survey Stream Monitoring Program.
- 9) Coordination with Departments of Health and Hospitals and Wildlife and Fisheries on fish consumption and swimming advisories.